

Second Edition

H.R. 3745—Effigy Mounds National Monument Additions Act

Cost to Taxpayers: The bill authorizes the appropriation of \$750,000. CBO estimates that implementing H.R. 3745 would cost about \$2 million over the next five years.

Does the Bill Create New Government Programs or Regulations: Yes, H.R. 3745 would authorize the Secretary of the Interior to purchase 5 tracts of land "from willing sellers" totaling about 1,100 acres to be added to the Effigy Mounds National Monument in Iowa.

Constitutional Authority: The Committee Report cites Article I, section 8 of the Constitution, but does not cite a specific clause.

Summary: Effigy Mounds National Monument, was created by Presidential Proclamation in 1949 and is located in northeastern Iowa along the Mississippi River. Currently, the 1481-acre Monument protects approximately 200 mound sites built by Eastern Woodland Indians from about 500 BC to 1300 AD. The 200 mounds, including the 29 effigy mounds, are thought to have served a variety of purposes such as territory markers, burials, or other cultural activities. The Monument hosts an estimated 80,000 visitors annually.

Areas of Concerns: No definition of "willing seller" is found in the bill and this Administration has a history of misusing its authority and devaluing land in order to make the owner willing to sell to the federal government.

H.R. 2752 —Lincoln County Land Act of 2000

Cost to Taxpayers: H.R. 2752 would accelerate the timing of certain land sales in Nevada and would allow the proceeds to be spent without further appropriation. CBO estimates that enacting this bill would increase net direct spending by \$2 million over the 2001-2005 period and by a total of \$16 million over the next 15 years.

Does the Bill Create New Government Programs or Regulations: H.R. 2752 would grant Lincoln County, Nevada, the exclusive right to purchase pieces of federal land (98% of the county is currently owned by the federal government), at fair market value, for a ten-year period. The gross proceeds of these sales would then be placed in several funds: (1) 5% would be paid to the State of Nevada for the general education program; (2) 10% shall be returned to Lincoln County to be used for normal budgeting procedures, with emphasis given to supporting public schools; and (3) the remainder shall be deposited in a special interest bearing account in the Treasury of the United States which the Secretary of Interior could

spend, without additional Congressional action, to purchase environmentally sensitive land in Nevada from “willing sellers” and support archaeological and habitat conservation activities.

Constitutional Authority: The Committee cites Article I, section 8 and Article IV, section 3 of the Constitution of the United States.

Concerns: This bill is necessitated by excessive federal ownership of land in Lincoln County, Nevada. While it is prudent for the federal government to sell land in the county at fair market value, it seems unwise to permit the Secretary of the Interior to use up to 85% of the proceeds to purchase more land for the federal government.

S.1324— Gettysburg National Military Park Expansion to Include the Wills House

Cost to Taxpayers: CBO estimates that implementing S. 1324 would cost about \$4 million over the 2000-2004 period, subject to appropriations. CBO estimates that it will cost about \$3 million over the next three of four years to acquire and renovate the Wills House and to develop appropriate interpretive exhibits. In addition, the NPS would spend between \$100,000 and \$400,000 annually beginning in fiscal year 2000 to operate the site. Operating expenses after fiscal year 2004 would be about \$400,000 annually.

Does the Bill Create New Government Programs or Regulations: The bill expands federal lands at Gettysburg to include the Wills House, where Abraham Lincoln stayed on the eve of delivering his Gettysburg Address at the dedication of the Soldiers' National Cemetery on November 19, 1863. David Wills, President Lincoln's host, was instrumental in the creation of the national cemetery and led early preservation efforts of the Gettysburg Battlefield.

Constitutional Authority: The Senate Committee Report does not contain a citation of Constitutional authority.

H. RES. 578 -CONGRATULATING HOME EDUCATORS AND HOME SCHOOLED STUDENTS

Cost to the Taxpayer: None - Congressional resolution.

Does the Bill Create New Government Programs or Regulations: No.

Constitutional Authority: No Committee report was filed, and no authority is cited in the bill.

Summary: This resolution is modeled on one that passed the Colorado General Assembly and simply acknowledges the success and contributions of home schoolers. The following is the text of the resolved clauses of the resolution: "(1) congratulates home educators and home schooled students across the Nation for their ongoing contributions to education and for the role they play in promoting and ensuring a brighter, stronger future for the Nation; (2) honors home educators and home schooled students for their efforts to improve the quality of education in the United States; and (3) supports the goals of National Home Education Week."

H.R. 4519 — BAYLEE'S LAW

Cost to Taxpayers: CBO estimates that implementing the bill would cost the General Services Administration (GSA) a negligible amount each year.

Does the Bill Create New Government Programs or Regulations: GSA buildings contain 113 child care facilities with an aggregate enrollment of more than 7,000 children. The bill requires that before the enrollment of any child in these GSA child care facilities and subsequent to his enrollment, the parents or guardians of the child have a written notification containing: 1) the current tenants in the public building; 2) the designation of the level of security of the public building, and 3) notice if any new Federal tenant is scheduled to take occupancy. Furthermore, the bill requires GSA to examine the windows and interior furnishings of the facility to protect from the dangers in the event of a natural disaster or terrorist attack, including the deadly effect of flying glass.

Constitutional Authority: The Committee Report cites Article I, section 8 of the Constitution.

H.R. 4904 — U.S. RELATIONSHIP WITH NATIVE HAWAIIANS

Cost to Taxpayers: A CBO estimate is not available.

Does the Bill Create New Government Programs or Regulations: YES, the bill creates a new Office of the Special Trustee for Native Hawaiian Affairs within the Department of Interior. The bill also establishes the process whereby Native Hawaiians can form their own governing council which would be recognized by the federal government for the purposes of conducting government-to-government relations similar to those conducted with Native American tribes. It is likely that the new Native Hawaiians governing authority would assume control of the 200,000 acres of land reserved for the aid of Native Hawaiians as well as conduct programs for the aid of Native Hawaiians.

Constitutional Authority: A Committee Report and therefore citation of Constitutional authority is not available.

Background: This proposal is largely a response to a February Supreme Court ruling that stated that the current system of allowing only Native Hawaiians to vote in special elections to elect administrators of a taxpayer funded trust for Native Hawaiians was unconstitutional because it denied some individuals the right to vote on the basis of race.

Areas of Concern: While the sponsor contends that this measure will not lead to legalized gambling in Hawaii, there does not seem to be anything in the legislation prohibiting future actions by the new Native Hawaiian government to seek such legalization. Some individuals are concerned that the bill will lead to the emergence of casino style gambling in Hawaii.

The views expressed in this Legislative Bulletin do not necessarily reflect the views of all Members of the Conservative Action Team.

The Conservative Action Team is a Congressional Member Organization of almost 60 House Members and is chaired by Representative John Shadegg (R-AZ).